



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

In re:

ANTONIO NEVES and BENVINDA NEVES,

Debtors.

ANTONIO NEVES, et al.,

Appellants,

v.

SETERUS INC.,

Appellee.

Order Filed on October 16,
2018 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

Case No. 11-40715 (SLM)
Chapter 7

Judge: Hon. Stacey L. Meisel

Adversary Proceeding No. 15-02504 (SLM)

Hearing Date: December 3, 2018 at 10:00 am

**ORDER TO SHOW CAUSE AS TO WHY THIS COURT SHOULD NOT ISSUE
SANCTIONS AGAINST THE LAW OFFICE OF SHMUEL KLEIN, ESQ. AND MR.
SHMUEL KLEIN, ESQ., IN HIS INDIVIDUAL CAPACITY, FOR POTENTIAL
VIOLATIONS OF THE NEW JERSEY RULES OF PROFESSIONAL CONDUCT, THE
UNITED STATES CODE, THE FEDERAL RULES OF BANKRUPTCY
PROCEDURE AND THE LOCAL RULES OF THE UNITED STATES
BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY**

The relief set forth on the following pages two (2) through four (4) is hereby **ORDERED**.
DATED: October 16, 2018


Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Debtors: Antonio Neves and Benvinda Neves.
Case No.: 11-40715 (SLM)
Adv. Pro.: 15-02504 (SLM)
Caption of Order: *Order to Show Cause as to Why this Court Should Not Issue Sanctions Against The Law Office of Shmuel Klein and Shmuel Klein, in his Individual Capacity, for Potential Violations of the New Jersey Rules of Professional Conduct, the United States Code, the Federal Rules of Bankruptcy Procedure, and the Local Rules of the Bankruptcy Court for the District of New Jersey*

THIS MATTER having been remanded to the Court by *Order* of the District Court (Cecchi, J.), dated September 28, 2018 (Adv. Pro. 15-02504 Docket No. 50) (the “**Remand Order**”) for further proceedings and findings as to the topics set forth in the Remand Order and which were the subject of that certain *Order for Sanctions*, dated May 10, 2017, relating to, among other things, why the Law Office of Shmuel Klein, Esq. (“**Counsel**”) should not be sanctioned for failure to timely appear at scheduled hearings in the above-captioned adversary proceeding, **IT IS HEREBY ORDERED THAT:**

1. **Counsel** and **Shmuel Klein**, in his individual capacity, (“**Mr. Klein**”) shall show cause on December 3, 2018 at 10:00 a.m. in the United States Bankruptcy Court, 50 Walnut Street, Newark, New Jersey, Courtroom 3A, before the Honorable Stacey L. Meisel pursuant to the New Jersey Rules of Professional Conduct, the United States Code, the Federal Rules of Bankruptcy Procedure, and the Local Rules of this Court, as to why this Court should not find that Counsel should be sanctioned and ordered to pay counsel fees and costs to Defendant Seterus, Inc. in the amount of \$500.00.

2. Objections and responsive pleadings (including certifications) to this Order to Show Cause shall be filed by November 19, 2018 at 3:00 p.m.

3. Any replies shall be filed by November 28, 2018 at 3:00 p.m.

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Case No.: 11-40715 (SLM)
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4. Sur-replies and any additional pleadings on the issue that either Counsel and/or Mr. Klein wish to file shall be filed by November 30, 2018 at noon.

5. No further submissions shall be filed without written leave of the Court.

6. Tardily filed submissions shall not be considered or reviewed by the Court unless permitted as set forth in paragraph 5 above.

7. All interested parties with standing to be heard may file pleadings in accordance with the schedule set forth herein.

8. The Court may adjourn the hearing on this matter as necessary, however, the adjournment shall not affect the schedule set forth in this Order unless permitted pursuant to paragraph 5 above.

9. Any party filing a pleading or a compilation of pleadings on this Order to Show Cause that equal or exceed fifty (50) pages—including attachments—shall provide two (2) binders that include the ECF Filing information across the top of each document and comply with this Court's individual preferences as indicated on the Court's website, within two days of the electronic filing of said pleading. This paragraph shall be read to mean that every page filed by a party or representative in regards to this Order to Show Cause shall be counted cumulatively toward the total page count so that if two submissions by the same party are less than fifty (50)

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pages and a third submission by the same party brings the total page count to fifty (50) pages or more, a binder containing all submissions must be provided to the Court two (2) days following the third submission. Joint submissions shall be subject to the terms of this paragraph.